

REMARKS

Applicants presented Claims 13, 14, 16-19, 22 and 23 for examination. In the above-identified Office Action, all of the Claims have been rejected under 35 U.S.C. §102(b) based upon a public use or sale of the invention argument. The reason stated in the Office Action is that, "[I]t appears that the applicant's invention was in sale or in public use prior to the applicant's submission of the filing of the invention. Accordingly, claims 13-14, 16-19 and 22-23 are rejected based upon a public use of sale of the invention." Applicants respectfully traverse the Examiner's rejections of the claims.

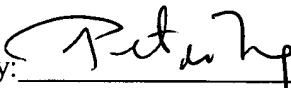
According to 35 U.S.C. §102, "A person shall be entitled to a patent unless ... (b) the invention was ... in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States" (With emphasis added)

As indicated in the attached declaration, Applicants' claimed invention in the above-identified application was not on sale or in public use prior to March 1, 1999. Therefore, Applicants' claimed invention was not in public use or on sale in this country more than one year prior to the date of the application, which is February 28, 2000. Thus, it is respectfully requested that the Examiner withdraw the rejection of claims 13, 14, 16-19 and 22-23 under 35 USC §102(b).

In the event the Examiner, upon reexamination, determines that an action other than an allowance is appropriate, the Examiner is requested and authorized to telephone Applicants' attorney prior to taking such action, if the Examiner feels that such a telephone call will advance the prosecution of the present application.

Dated: October 9, 2004

Respectfully submitted,

By: 
Peter Tong
Registration No.: 35,757

Peter Tong
1807 Limetree Lane
Mountain View, CA 94040
(650) 625-8192